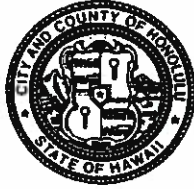


# SB772

Measure Title:	RELATING TO LIQUOR LAWS.
Report Title:	Liquor Laws; Beer; Tap Handle Requirement; Beer Servings; Stacking
Description:	Repeals requirement that there be attached a clear and legible notice, placard, or marker upon the faucet, spigot, or outlet wherefrom the draught beer is drawn. Requires definitions adopted by the counties related to stacking of beer to refer to a standard serving of total volume and beer standard size servings to be limited to forty-four ounces of total volume before a customer at any one time.
Companion:	<a href="#">HB1172</a>
Package:	None
Current Referral:	CPH
Introducer(s):	BAKER, S. Chang

**LIQUOR COMMISSION  
CITY AND COUNTY OF HONOLULU**

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249  
PHONE (808) 768-7300 or (808) 768-7333 • FAX (808) 768-7311  
INTERNET ADDRESS: [www.honolulu.gov/liq](http://www.honolulu.gov/liq) • E-MAIL: [liquor@honolulu.gov](mailto:liquor@honolulu.gov)



KIRK CALDWELL  
MAYOR

JOSEPH V. O'DONNELL  
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NARSI A. GANABAN  
CO-VICE CHAIR

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COMMISSIONER

FRANKLIN DON PACARRO, JR.  
ADMINISTRATOR

ANNA C. HIRAI  
ASSISTANT ADMINISTRATOR

February 15, 2019

The Honorable Rosalyn H. Baker, Chair  
The Honorable Stanley Chang, Vice Chair  
and Members of the Committee on Commerce,  
Consumer Protection, and Health

State Senate  
State Capitol, Room 229  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Baker, Vice Chair Chang, and Members of the Committee:

SUBJECT: Senate Bill No. 772  
Relating to Liquor Laws


The Liquor Commission, City and County of Honolulu (Commission), appreciates the opportunity to submit testimony providing **comments** on the above-referenced measure. As a matter of principle, the Commission fully supports legislation that enables licensees to more efficiently operate their businesses but also gives reasonable oversight to regulators in addressing the changing nature of the liquor industry.

The Commission does not believe the proposed elimination of the tap handle requirement in this measure will negatively impact consumer confidence or safety in the draught beer they purchase. The Commission's licensees have found creative and accessible ways of providing product selection information to their customers, and the incidence of customer complaints about being served a draught product they did not select has been virtually zero in the past 20+ years.

As the Commission repealed its stacking rule in 2017, the proposed definitional requirement in Section 3 of the proposed measure will have no impact on our licensees.

Thank you for the opportunity to testify.

Sincerely,

  
Franklin Don Pacarro, Jr.  
Administrator

FDPjr:ACH



Cindy Goldstein  
Executive Director  
Hawaiian Craft Brewers Guild  
98-814 C Kaonohi Street  
Aiea, HI 96701

SB 772 Relating to Liquor Laws: Tap Handle Labels and Stacking  
Senate Committee on Commerce, Consumer Protection and Health  
Wednesday February 20th at 9:15 a.m. in Conference Room 229

Position: **Support**

Chair Senator Rosalyn Baker, Vice Chair Senator Stanley Chang, and members of the Senate Committee on Commerce, Consumer Protection and Health,

The Hawaiian Craft Brewers Guild is a nonprofit trade organization representing the interests of small craft breweries across the State of Hawaii. Our members are independent craft breweries producing 100% of their beer in Hawaii and represent the majority of craft beer producers in Hawaii. Our members are united in our pursuit to promote economic activity for Hawaii's beer manufacturers and enhance opportunities in our communities.

The Hawaiian Craft Brewers Guild and our member breweries embrace the responsible consumption of alcohol.

The Hawaiian Craft Brewers Guild supports SB772 revising HRS 281 -78 (b)(7) related to tap handles. The requirement for tap handle labeling is meant to easily allow the consumer to see and identify which beer is poured. We support SB772 because it allows beer taps to be identified through other means and is less burdensome for business owners of brewpubs, taprooms, and other establishments that serve craft beer.

Small craft breweries and taprooms commonly provide information about the beer they are pouring using new technology of display screens and old technology with blackboards. Display screens and boards are placed in close proximity to tap faucets and spigots, visible at the distances called for in current rules for tap handles.

Use of blackboards, video display screens, and other keys allow the brewpub, tap room or other businesses serving craft beer to keep their list of what is on tap current. Changes and updates can be made easily and rapidly to show what is on each tap.

Our Hawaiian Craft Brewers Guild member breweries share additional details with consumers about each beer using boards, screens and beer menus. Consumers are

provided with detailed information that allows them to make better choices including percent alcohol in each beer, special ingredients, and style of beer. The extent of information that is provided goes well beyond the name of the brand adopted by the beer manufacturer, which is called for in the requirement for labeling of a tap handle.

Customers are often seated in a section of an establishment where they are unable to see the area where beer is being poured. Placing a label on a tap faucet or spigot does not provide a customer with additional knowledge that the beer they ordered is the one they received if they are not within view of the properly labeled tap handle.

Hawaii's small craft beer producers offer seasonal brews that are on tap for a few weeks of the year and many will make one-time unique specialty brews. Hawaii's small craft breweries, tap rooms and brewpubs often have a more rapid rotation of their products on tap compared with large national brands that rarely change what is offered. Beer manufacturers provide the brand name on the tap handle and typically include the name of the beer. More rapid rotation combined with one-time and specialty offerings makes it very difficult to have unique handles for each beer that is made. As a matter of practicality, the name of the brewery brand and the name of the craft brew are often longer than what can easily be printed on a tap handle.

We support the change to statute proposed in SB772 by removing the requirement for labeling of tap handles placed on spigots and faucets. SB772 would not require the use of tap handles, and at the same time does not prevent continued use by brands wanting to continue their use.

### **Stacking rules**

The Hawaiian Craft Brewers Guild fully embraces the responsible serving of alcohol. We support basing the maximum amount of alcohol that can be served on a total volume of 44 ounces rather than number of glasses served at one time. SB772 calls for a limit to the total volume of beer that can be served rather than the number of glasses that can be served, which allows us to continue to be mindful of not over serving alcohol.

Craft breweries often produce several styles. The trend for craft beer consumers is to sample different styles and new offerings. Some customers prefer smaller servings and like the option of a smaller tasting size. Our member breweries serve flight sized glasses that are typically 4 to 6 ounces per glass. Serving flights of smaller volume provides an opportunity for brewery businesses to expand their offerings for customers with new releases, specialty and seasonal beer choices. Visitors often want to sample a variety of craft brews offered, especially unique beer styles with Hawaii grown ingredients.

We support defining stacking of beer based on a standard serving size of total volume of 44 ounces before a customer at any one time rather than by number of glasses.

We urge the Senate Committee on Commerce, Consumer Protection and Health to pass this bill. Mahalo for considering our Hawaiian Craft Brewers Guild testimony in support of SB772.



February 16, 2019

SB 772 Relating to Liquor Laws: Tap handle labels and Stacking  
Senate Committee on Commerce, Consumer Protection and Health  
Wednesday February 20th at 9:15 a.m. in Conference Room 229

Position: **Support**

Chair Senator Rosalyn Baker, Vice Chair Senator Stanley Chang, and members of the Senate Committee on Commerce, Consumer Protection and Health

The Hawaiian Craft Brewers Guild is a craft brewing trade organization that seeks to promote production of craft beer in Hawaii as independent craft breweries. We are united in our pursuit to promote economic activity for Hawaii's beer manufacturers and enhance opportunities in our communities. Our members represent the majority of craft beer producers in Hawaii, with members producing 100% of their beer in Hawaii.

**Tap Handles**

Our brewpub provides information to our customers about the beer we have on tap using blackboard and beer menu. We are able to provide more detailed information that allows consumers to make better choices including percent alcohol, information about special ingredients, and style of beer. Use of the black board allows us to change out beers quickly. This legislation allows brewpubs and taprooms to keep their list current to show what is on each tap in a manner that is visible to customers.

As a matter of practicality, the names for some of our craft brews are longer than what can be easily printed on a tap handle. We brew seasonal and sometimes one-time specialty craft beer, making it very costly to design and acquire unique tap handles for each beer that we make. For small craft breweries like ours, we have a more rapid rotation compared with establishments that keep the same beer selection on tap.

**Honolulu Beerworks**  
**328 Cooke St, Honolulu HI. 93813**  
**808-589-2337**

Current tap handle rules are burdensome for businesses like ours that serve beer from our smaller independent craft brewery.

We support the change to statute proposed in SB 772 by removing the requirement for labeling of tap handles placed on spigots and faucets. SB 772 would not require the use of tap handles, and at the same time does not prevent continued use by brands wanting to continue their use.

We support providing consumers with detailed information through the use of visual displays and menus and find tap handle labels are not needed and convey less information.

### **Stacking**

Honolulu Beerworks embrace the responsible consumption of alcohol. We support basing the maximum amount of alcohol that can be served on total volume rather than number of glasses served at one time. SB 772 calls for a limit to the total volume that can be served which allows us to continue to be mindful of not over serving alcohol.

New customers, visitors, and our regular patrons want to try new selections. Craft breweries often produce several styles. The trend for craft beer consumers is to sample different styles and new offerings. Some customers prefer smaller servings and like the option of a smaller tasting size. We serve sampler flight sized glasses that are typically ounces per glass.

Serving flights of smaller volume allows our patrons to sample a greater variety of what our brewery has to offer. This helps grow our business as craft beer consumers try new releases, specialty and seasonal beer choices.

We support SB 772 defining stacking of beer based on a standard serving size of total volume of 44 ounces before a customer at any one time.

Mahalo for your consideration. We urge you to pass this bill.

Thank you for the opportunity to provide testimony in support of SB 772

Sincerely,

Geoffrey Seideman Owner/Brewer

**Honolulu Beerworks**  
**328 Cooke St, Honolulu HI. 93813**  
**808-589-2337**



February 17, 2019

Senate Committee on Commerce, Consumer Protection and Health  
SB772 Relating to Liquor Laws: Taphandles and Stacking  
Wednesday February 20th at 9:15 a.m. in Conference Room 229

Re: **IN SUPPORT OF SB772**

Aloha Chair Senator Rosalyn Baker, Vice Chair Senator Stanley Chang, and members of the Senate Committee on Commerce, Consumer Protection and Health,

My name is Garrett W. Marrero, I live in Kula, HI. We have locations on Maui in Lahaina and Kihei, and on Oahu in Waikiki and Kailua. We distribute across the Hawaii, 23 States, and 13 countries. We began in 2005 with 26 team members and have added more than 500 to our team. My wife and I were selected as the National Small Business Persons of the year in 2017 for our work at Maui Brewing Co. I'm writing on behalf of myself and our local family-operated business in support of **SB772** which modernizes two critical points in current liquor laws; namely Taphandles and "Stacking". The rules are both archaic and over-reaching and need to be brought into line with commonly accepted practices across the United States.

### **Tap Handles**

Maui Brewing locations each have their own identity and the layout and design restrictions dictate different methods to mark taps with the brand name. We either have printed menus listing all beer styles available, or blackboards corresponding to a faucet number and or individually taphandles. Keep in mind that since we brew our own beer, in most of our locations the **ONLY** beer you can buy is Maui Brewing Co. beer. Therefore, the requirement to physically attached a marker indicating the "brand" of beer would be irrelevant. We are able to provide more detailed information that allows consumers to make better choices including percent alcohol, information about special ingredients, and style of beer. We have also been reviewing new technology such as video display boards which would allow us to easily change and frequently update our menu.

Current tap handle rules are burdensome for businesses like ours that serve beer from our smaller independent craft brewery. There are substantial costs to order taphandles, our last order was more than \$40,000, this is an enormous strain on resources for an item that often goes missing or is damaged in use. Additionally, more and more on-premise accounts are declining to use taphandles in favor of small generic or artful handles and/or video boards such as untapped or taphunter due to the constant rotation of various beers being served.

I would like to also point out that other beverages such as wine and cider that are now commonly served on draft are not required to have taphandles. Beer is the only beverage alcohol subjected to this requirement by Hawaii rules.

Handcrafted Ales & Lagers Brewed with Aloha  
605 Lipoa Parkway, Kihei, HI 96753  
808.213.3002

**"Stacking"**

Having been cited for "practice to promote excessive consumption" due to this rule I have some interesting perspective. On Maui we are limited to 32oz of beer, or 2 standard servings of alcohol. For the record we believe the standard measure of beer to be 16oz as that is the size of the standard American pint glass. We were cited for promoting excessive consumption because we served four 4oz glasses, a total of 16oz. Due to the fact that there were 4 glasses this is viewed as "excessive consumption" however had we served 2 glasses with 32oz of beer that would be acceptable. So just to be clear twice the amount of beer is okay but HALF that amount in taster glasses is a practice to promote overdrinking. The math just doesn't add up.

I would like to point out that we have been serving samplers for 14 years on Maui and prior administrations including some in the current office have all been well aware of this.

**SB772** calls for a limit to the total volume that can be served but not limiting the number of glasses. This is more in line with current market needs and commonly accepted practices across the country.

New customers, visitors, and our regular patrons want to try new selections. Craft breweries often produce several styles. The trend for craft beer consumers is to sample different styles and new offerings. Some customers prefer smaller servings and like the option of a smaller tasting size. We serve sampler sized glasses that are four 4 ounces per glass; our standard beer flight contains 4 glasses or a total of 16oz.

Serving flights of smaller volume allows our patrons to sample a greater variety of what our brewery has to offer as well as select a beer to purchase in a growler or crowler to take home and enjoy safely. This helps grow our business as craft beer consumers try new releases, specialty and seasonal beer choices.

We support **SB772** defining stacking of beer based on a total volume of 44 ounces in front of a customer at any one time. This bill is simple and brings Hawaii into the current age of beverage sales.

Thank you for the opportunity to offer these comments in support of the passage of **SB772**.

Sincerely,



Garrett W. Marrero  
CEO/Founder





Lanikai Brewing Company  
175 Hamakua Drive, Unit C  
Kailua, Hawaii 96734  
[www.lanikaibrewing.com](http://www.lanikaibrewing.com)

2/18/2019

RE: SB 772 Liquor laws for Tap handles and Stacking.

Aloha Chair, Vice Chair and Committee members,

Lanikai Brewing Company is a locally owned and operated Craft Brewery here on Oahu in Kailua and we are in support of SB772

My name is Steve Haumschild and I live in Kailua, HI. Only about 5% of the beer consumed in Hawaii is locally made. The local craft beer industry is experiencing historical growth despite all of the economic factors we face. Our cost of production are high, taxes are some of the highest in the country, shipping costs for our geographical isolation, are some of those factors making it about 40-50% more expensive to produce in Hawaii verses elsewhere.

The current laws for Tap Handles are antiquated and are not up to date with digital technology where we can provide significantly more information to our consumers compared to Tap Handles. Consumers that are anywhere in our facility can view a digital display board or view it from their phone if needed and gain significantly more information than a tap handle. Tap Handles do not create a modern look or feel, nor do they guarantee what is coming out of the tap. Since draft can be served all over the restaurant and not just at a bar, tap handles do not provide equal information to all consumers that digital display can.

Stacking laws are all over the place between the islands and our goals are to create consistency in stacking. By changing it to a maximum amount of ounces per customer, they can engage in sampling of multiple products in smaller amounts.

Lanikai Brewing Company is an Island Inspired® authentic Hawaiian craft beer company making 100% of our brews here in Hawaii. We take our cues from premium, local, rare, and exotic ingredients grown by local farmers and foraged across the Pacific to bring you bold and flavorful beers that you will find nowhere else utilizing Hawaiian terroir. \*\*Please note that variances in growing season conditions can impact batch-to-batch flavor and aroma profiles.

‘Ōkole Maluna,

*Steven R Haumschild*

Steve Haumschild, MBA  
CEO & Brewmaster  
Certified Cicerone®  
Lanikai Brewing Company, Island Inspired™ Craft Beer

Lanikai Brewing Company, Island Inspired™ Craft Beer  
Brewery @ 175-C Hamakua Dr, Kailua, HI 96734  
Tap & Barrel @ 167 Hamakua Dr, Kailua, HI 96734 M-F 4p-10p, S-S 11a-10p  
FB: Lanikai Brewing Company, Instagram: @lanikaibrewing



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Beer Lab HI  
Nicolas Wong  
1010 University Ave  
Honolulu HI 96816  
8085427015  
[nicolas@beerlabhi.com](mailto:nicolas@beerlabhi.com)

SB 772 Relating to Liquor Laws: Tap handle labels and Stacking  
Senate Committee on Commerce, Consumer Protection and Health  
Wednesday February 20th at 9:15 a.m. in Conference Room 229

Position: **Support**

Chair Senator Rosalyn Baker, Vice Chair Senator Stanley Chang, and members of the Senate Committee on Commerce, Consumer Protection and Health,

The Hawaiian Craft Brewers Guild is a craft brewing trade organization that seeks to promote production of craft beer in Hawaii as independent craft breweries. We are united in our pursuit to promote economic activity for Hawaii's beer manufacturers and enhance opportunities in our communities. Our members represent the majority of craft beer producers in Hawaii, with members producing 100% of their beer in Hawaii.

My name is Nicolas Wong, I live in Palolo, Oahu and I am the Founder of Beer Lab HI. We have three locations in Moilili, Waipio and Pearlridge center. Our brewery began in 2016 with 3 employees. We now provide 42 jobs in Hawaii.

**Beer Lab HI** support SB772 because the verbiage of the tap handle laws are old and inconsistent with the current craft brewery business.

We constantly create new beers and release 2-3 beers a week. As the current law states we need to have the name of the beer and the manufacturer printed on the tap handle and we are unable to operate our business as intended.

Our brewery provides information to our customers about the beer we have on tap using (blackboard, video display screen, beer menu). We are able to provide more detailed information that allows consumers to make better choices including percent alcohol, information about special ingredients, and style of beer. Use of new technology such as video display boards allows us to easily change and frequently update our menu. This legislation allows brewpubs and taprooms to keep their list current to show what is on each tap in a manner that is visible to customers.



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We support the change to statute proposed in SB772 by removing the requirement for labeling of tap handles placed on spigots and faucets. SB772 would not require the use of tap handles, and at the same time does not prevent continued use by brands wanting to continue their use.

Mahalo for your consideration. We urge you to pass this bill.  
Thank you for the opportunity to provide testimony in support of SB772.

## **INU ISLAND ALES**

Keaka Eckart

46-147 Kahuhipa St. #E Kaneohe, HI 96744

808-683-9000

Keaka@inuislandales.com

SB 772 Relating to Liquor Laws: Tap handle labels and Stacking  
Senate Committee on Commerce, Consumer Protection and Health  
Wednesday February 20th at 9:15 a.m. in Conference Room 229

### **Position: Support**

Chair Senator Rosalyn Baker, Vice Chair Senator Stanley Chang, and members of the Senate Committee on Commerce, Consumer Protection and Health,

The Hawaiian Craft Brewers Guild is a craft brewing trade organization that seeks to promote production of craft beer in Hawaii as independent craft breweries. We are united in our pursuit to promote economic activity for Hawaii's beer manufacturers and enhance opportunities in our communities. Our members represent the majority of craft beer producers in Hawaii, with members producing 100% of their beer in Hawaii.

INU Island Ales supports SB772.

Our brewery taproom provides information to our customers about the beer we have on tap using a video display screen and a white board. We are able to provide more detailed information that allows consumers to make better choices including percent alcohol, information about special ingredients, and style of beer. Use of new technology such as video display boards allows us to easily change and frequently update our menu. This legislation allows brewpubs and taprooms to keep their list current to show what is on each tap in a manner that is visible to customers.

As a matter of practicality, the names for some of our craft brews are longer than what can be easily printed on a tap handle. We brew seasonal and sometimes one-time specialty craft beer, making it very costly to design and acquire unique tap handles for each beer that we make. For very small craft breweries like ours, we have a more rapid rotation compared with establishments that keep the same beer selection on tap. Current tap handle rules are burdensome for businesses like ours that serve beer from our smaller independent craft brewery.

We support the change to statute proposed in SB772 by removing the requirement for labeling of tap handles placed on spigots and faucets. SB772 would not require the use of tap handles, and at the same time does not prevent continued use by brands wanting to continue their use.

We support providing consumers with detailed information through the use of visual displays and menus and find tap handle labels are not needed and convey less information.

INU Island Ales embraces the responsible consumption of alcohol. We support basing the maximum amount of alcohol that can be served on total volume rather than number of glasses served at one time. SB772 calls for a limit to the total volume that can be served which allows us to continue to be mindful of not over serving alcohol.

New customers, visitors, and our regular patrons want to try new selections. Craft breweries often produce several styles. The trend for craft beer consumers is to sample different styles and new offerings. Some customers prefer smaller servings and like the option of a smaller tasting size. Our taproom ONLY serves sampler flight sized glasses that are 5 ounces.

Serving flights of smaller volume allows our patrons to sample a greater variety of what our brewery has to offer. This helps grow our business as craft beer consumers try new releases, specialty and seasonal beer choices.

We support SB772 defining stacking of beer based on a standard serving size of total volume of 44 ounces before a customer at any one time.

Mahalo for your consideration. We urge you to pass this bill.  
Thank you for the opportunity to provide testimony in support of SB772.

Keaka Eckart  
INU ISLAND ALES



64-1066 Mamalahoa Highway  
Kamuela, Hawaii, 96743

T 808-887-1717  
F 808-885-0653  
BigIslandBrewHaus@Yahoo.Com

[BigIslandBrewHaus.Com](http://BigIslandBrewHaus.Com)

February 19, 2019

SB772 Tap handle labelling and stacking.

Senate Committee on Commerce, Consumer Protection and Health  
Wednesday, Feb 20<sup>th</sup>, 2019 at 9:15 a.m. Conference Room 229

Position: **Support**

Chair Senator Rosalyn Baker, Vice Chair Senator Stanley Chang, and members of the Committee on Commerce, Consumer Protection and Health,

SB 772 Relating to Liquor Laws

### **Tap Handles**

Big Island Brewhaus is a Class 14 Brewery & Restaurant in Waimea on the Big Island. We provide information to our customers about the beer we have on tap using blackboards, a beer menu, and of course verbal descriptions from our staff to consumers. We are able to provide more detailed information that allows consumers to make better choices including percent alcohol, information about special ingredients, and style of beer. Use of new technology such as video display boards could allow us to easily change and frequently update our menu. This legislation allows brewpubs and taprooms to keep their list current to show what is on each tap in a manner that is visible to customers.

As a matter of practicality, the names for some of our craft brews are longer than what can be easily printed on a tap handle. We brew seasonal and sometimes one-time specialty craft beer, making it very costly to design and acquire unique tap handles for each beer that we make. For small craft breweries like ours, we have a more rapid rotation compared with establishments that keep the same beer selection on tap. Current tap handle rules are burdensome for businesses like ours that serve beer from smaller independent craft breweries.

We support the change to statute proposed in SB772 by removing the requirement for labeling of tap handles placed on spigots and faucets. SB772 would not require the use

of tap handles, and at the same time does not prevent continued use by brands wanting to continue their use.

We support providing consumers with detailed information through the use of visual displays and menus and find tap handle labels are not needed and convey less information.

### **Stacking**

Big Island Brewhaus embraces the responsible consumption of alcohol. We support basing the maximum amount of alcohol that can be served on total volume rather than number of glasses served at one time. SB772 calls for a limit to the total volume that can be served which allows us to continue to be mindful of not over serving alcohol.

New customers, visitors, and our regular patrons want to try new selections. Craft breweries often produce several styles. The trend for craft beer consumers is to sample different styles and new offerings. Some customers prefer smaller servings and like the option of a smaller tasting size. We serve sampler flight sized glasses that are typically 4 to 6 ounces per glass.

Serving flights of smaller volume allows our patrons to sample a greater variety of what our brewery has to offer. This helps grow our business as craft beer consumers try new releases, specialty and seasonal beer choices.

We support SB772 defining stacking of beer based on a standard serving size of total volume of 44 ounces before a customer at any one time.

Mahalo for your consideration. We urge you to pass this bill.  
Thank you for the opportunity to provide testimony in support of SB772.

Sincerely,

*Thomas D. Kerns*

Thomas Kerns  
Founder & Brewer  
Big Island Brewhaus  
64-1066 Mamalahoa Highway  
Kamuela, HI, 96743  
[BigIslandBrewhaus@yahoo.com](mailto:BigIslandBrewhaus@yahoo.com)  
Cell# 808-276-3301



506 Keawe Street  
Honolulu, Hawaii, 96813

T 808-200-2739  
troy@realgastropub.com

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**SB 772** Relating to Liquor Laws: Tap handle labels and Stacking  
Senate Committee on Commerce, Consumer Protection and Health  
Wednesday February 20th at 9:15 a.m. in Conference Room 229

Position: **Support**

Chair Senator Rosalyn Baker, Vice Chair Senator Stanley Chang, and members of the Senate Committee on Commerce, Consumer Protection and Health,

Craft beer production has been steadily increasing and along with that, greater demand for serving craft beer by REAL gastropub / Bent Tail Brewing Company. Policies related to how beer is served to our customers has a great deal of impact on us and we would like to share our viewpoint on bill **SB772**.

**Tap Handles**

Our establishment provides information to our customers about the beer we have on tap using various methods such as blackboards, video display screen, beer menu, and online app. We are able to provide more detailed information that allows consumers to make better choices including percent alcohol, information about special ingredients, and style of beer. Use of new technology such as video display boards allows us to easily change and frequently update our menu. This legislation allows our business to keep our list of beer offerings current to show what is on each tap in a manner that is visible to customers.

The intent of making sure the beer that is ordered is the beer that is poured is not ensured by having a tap handle indicating the beer offered on tap. The keg that is connected to the tap is not visible to consumers.

As a matter of practicality, the names for some of the craft brews we serve on tap are longer than what can be easily printed on a tap handle. We serve seasonal and sometimes one-time specialty craft beer. Brewery businesses tell us that it is very costly to design and acquire unique tap handles for each beer they produce.

Current tap handle rules are burdensome for businesses like ours that serve beer from smaller independent craft breweries. We have a more rapid rotation with craft beer that we have on tap compared with establishments that keep the same beer selections on tap.

We support the change to statute proposed in **SB772** by removing the requirement for labeling of tap handles placed on spigots and faucets. **SB772** would not require the use of tap handles, and at the same time, does not prevent continued use by brands wanting to continue their use.



We support providing consumers with detailed information through the use of visual displays and menus and find tap handle labels are not needed and convey less information.

**Stacking related to serving beer**

REAL gastropub / Bent Tail Brewing Company has always embraced the responsible consumption of alcohol. We support basing the maximum amount of alcohol that can be served on total volume rather than number of glasses served at one time. **SB772** calls for a limit to the total volume that can be served which allows us to continue to be mindful of not over serving alcohol.

New customers, visitors, and our regular patrons want to try new selections. Craft breweries produce several styles that often vary. The trend for craft beer consumers is to sample different styles and new offerings. Some customers prefer smaller servings and like the option of smaller sized tastings of different kinds of beer.

We like to have the flexibility to be able to serve sampler flight sized glasses that are typically 4 to 6 ounces per glass. Serving flights of smaller volume allows our patrons to sample a greater variety of what our brewery has to offer. This helps grow our business as craft beer consumers try new releases, specialty and seasonal beer choices.

We support **SB772** defining stacking of beer based on a standard serving size of total volume of 44 ounces before a customer at any one time.

Mahalo for your consideration. We urge you to pass this bill.  
Thank you for the opportunity to provide testimony in support of **SB772**.

Sincerely,

*Troy Terorotua*

Troy Terorotua  
Founder & Owner  
REAL gastropub / Bent Tail Brewing Co  
605 Keawe Street  
Honolulu, HI, 96813  
[troy@realgastropub.com](mailto:troy@realgastropub.com)  
Cell# 808-741-7373



**WAIKIKI BREWING COMPANY**

Joe P. Lorenzen, Partner/Brewmaster  
831 Queen St.  
Honolulu, HI 96813  
808-591-0387  
[brewmaster@waikikibrewing.com](mailto:brewmaster@waikikibrewing.com)

SB 772 Relating to Liquor Laws: Tap handle labels and Stacking  
Senate Committee on Commerce, Consumer Protection and Health  
Wednesday February 20th at 9:15 a.m. in Conference Room 229

Position: **Support**

Chair Senator Rosalyn Baker, Vice Chair Senator Stanley Chang, and members of the Senate Committee on Commerce, Consumer Protection and Health,

My name is Joe Lorenzen. I live in Honolulu, on the island of Oahu, and I am a partner in and Brewmaster of Waikiki Brewing Company with business locations in Waikiki and in Kaka'ako. Our brewery began with 15 employees in 2015, and now employs a staff of 45.

Waikiki Brewing Company supports SB 772. This bill serves to clarify some important points in our current statutes pertaining to tap handle labelling and stacking (serving of multiple alcoholic beverages).

The current law requires us to have individual tap handles showing the brand of each beer we serve such that they can be seen from 10 feet away. It seems that this is in order to allow consumers to be clear on what beverage they are being served. In modern taprooms, there are many options other than tap handles to communicate the choice of beverage to the guest. TVs and monitors that present information on brands sold, printed menus, etc. all can convey this information. As a brewer, we often change our offering quite regularly and to have individual tap handles for every brand is not practical.

This bill also addresses stacking. We always encourage responsible drinking and feel that this bill would serve to further encourage responsible drinking by defining what a serving is. For instance, guests in our brewery often purchase small sample size pours of our beers. Depending on how stacking is defined, two of these 4 oz beers can be considered in the same way as two pint glasses of strong liquor drinks. This bill proposes to define the total volume of beer that can be served to a guest at one time, and continues to help promote responsible drinking.

Thank you for the opportunity to testify in support of SB 772.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe P. Lorenzen", with a stylized flourish at the end.

Joe P. Lorenzen



Senate Committee on Commerce, Consumer Protection, and Health  
February 20<sup>th</sup>, 2019 9:15am – Conference Room 229

### **SB 772 Relating to Liquor Laws**

Chair Rosalyn Baker, Vice Chair Stanley Chang,

The Hawaii Partnership to Prevent Underage Drinking (HPPUD) was created to address the problem of underage drinking in the State of Hawaii. The members of the coalition represent county and state agencies, non-profit organizations, private businesses, youth and community residents concerned with the health of Hawaii's youth.

Mahalo for the opportunity to submit testimony as we are unable to be there in-person at this time. We **oppose SB772** for the following reasons:

#### **1. Local breweries and wineries do not sell sample sizes more than 20 ounces**

The proposed bill is supposed to support local breweries who serve sample flights of 4-5 glasses of an average of 5oz per glass of beer. The simple mathematics of this at the highest quantity of total volume would be 25oz. In the proposed provision, the math of alcohol by volume doesn't match up. How did we go from 20-25oz for a full sampler of flight beers to 44oz of alcohol at any given time? Is this a mere mathematical mistake or is this more likely a "backdoor" way for the alcohol industry to increase profits and sales? Let's not kid ourselves into thinking that this is just to give local breweries the ability to sell sample flights of beer.

From communicating with local brewers and wineries it has become clear that these local businesses do not offer sample "flights" that go beyond 20 ounces of total volume per customer. Maui Brewing Company sells sample flights of 4 glasses at 4 ounces each which equals 16 ounces of alcohol. Maui Winery in Kula only allows each person 5 ounces of alcohol at one time. Allowing 40 ounces as a single-serving of alcohol per person would only encourage excessive drinking, otherwise known as *binge drinking*, and increases in associated health and safety problems. The Centers for Disease Control and Prevention (CDC) define binge drinking "as a pattern of drinking that brings a person's blood alcohol concentration to 0.08 grams percent or above; typically this occurs when men consume 5 or more drinks or women consume 4 or more drinks in

1. National Institute of Alcohol Abuse and Alcoholism. [NIAAA council approves definition of binge drinking Cdc-pdf\[PDF – 1.62MB\]External](#). *NIAAA Newsletter*. 2004;3:3.
2. Esser MB, Hedden SL, Kanny D, Brewer RD, Gfroerer JC, Naimi TS. [Prevalence of alcohol dependence among US adult drinkers, 2009–2011](#). *Prev Chronic Dis*. 2014;11:140329. doi: <http://dx.doi.org/10.5888/pcd11.140329>.

about 2 hours”<sup>1</sup>. The CDC identifies binge drinking as the “most common, costly, and deadly pattern of excessive alcohol use in the United States”<sup>2</sup>.

## **2. Local breweries have higher alcohol content levels than commercially produced beer**

This bill will allow for local breweries to offer sample flights of various beers that have a wide range of alcohol content which poses unique challenges. It must be noted that locally brewed beers generally have higher alcohol content than commercially produced alcohol products. Allowing a single serving of alcohol of 44oz, **without a cap on alcohol content, WILL increase problems related to the over service of patrons including excessive drinking and drunk driving which would put patrons and community members at risk.**

We **oppose SB772** in its present form, for the benefit of the people of Hawai’i. We recommend that a single serving of alcohol should be no more than 20 ounces. This bill would increase consumption which will increase more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities.

Mahalo

Hawaii Partnership to Prevent Underage Drinking

Cynthia Okazaki, Co-Chair

1. National Institute of Alcohol Abuse and Alcoholism. [NIAAA council approves definition of binge drinking Cdc-pdf\[PDF – 1.62MB\]External](#). *NIAAA Newsletter*. 2004;3:3.

2. Esser MB, Hedden SL, Kanny D, Brewer RD, Gfroerer JC, Naimi TS. [Prevalence of alcohol dependence among US adult drinkers, 2009–2011](#). *Prev Chronic Dis*. 2014;11:140329. doi: <http://dx.doi.org/10.5888/pcd11.140329>.



Rick Collins  
Chair  
Hawai'i Alcohol Policy Alliance  
Kula, HI  
(808)728-4656

**LATE**

**SB772 Relating to Liquor Laws;  
Liquor Laws; Beer; Tap Handle Requirement; Beer Serving; Stacking**

February 19, 2019

**Position: OPPOSE**

**Chair Rosalyn Baker, Vice Chair Stanley Chang, and members of the Committee**

The Hawai'i Alcohol Policy Alliance (Alliance) is opposed to SB772. Our opposition is specifically related to the provision of the bill allowing the stacking of beer by volume. The United States is experiencing a trend toward increased alcohol affordability, accessibility and marketing. There is growing pressure toward deregulation so that alcohol can be consumed like any other consumer product, with few restrictions. Alcohol is no ordinary commodity. The push toward deregulation of alcohol is a national trend and is meant to increase profits at the expense of public health.

The Hawai'i Alcohol Policy Alliance is a volunteer-based organization of private citizens made up of members from all four counties within the State. Our mission is to advocate for research-based responsible alcohol policies that are in the best interest of the people of Hawai'i, and that reduce alcohol-related harms in our communities. Our vision is a Hawai'i free of alcohol-related injuries, disease, and death.

**Beer Stacking Provision**

SB772 is a direct attack on the deregulation of on-premise alcohol serving and creates public health risks.

**Risks of the Proposed Stacking Provision**

The current provision of allowing each customer to have up to 44oz of beer increases the likelihood of binge drinking, resulting in increased risk of alcohol-related consequences such as drunk driving, and overall increased rates of community violence.



Additionally, the proposed bill is supposed to support local breweries who serve sample flights of 4-5 glasses of an average of 5oz per glass of beer. The simple mathematics of this at the highest quantity of total volume would be 25oz. A number of local breweries were surveyed to better understand the total amount of beer served in a sampler flight. None of the breweries surveyed exceeded more than 17oz. Maui Brewing Company, the largest local brewer, serves sample flights of four glasses of beer at 4oz per glass for a total of 16oz.

In the proposed provision, the math of alcohol by volume doesn't match up. How did we go from Maui Brewing Company's 16oz of total beer for sampler flight to 44oz? Is this a mere mathematical mistake of our legislators, or is this more likely a "backdoor" way for the alcohol industry to increase profits and sales? Let's not kid ourselves into thinking that this is just to give local breweries the ability to sell sample flights of beer.

#### **44oz of Beer Will Lead to Higher Binge Drinking Rates**

According to the National Institute on Alcohol Abuse and Alcoholism (NIAAA), binge drinking is defined as a pattern of drinking that brings blood alcohol concentration levels to 0.08g/dL. This typically occurs after 4 drinks for women and 5 drinks for men, in about a 2 hours period<sup>1</sup>.

The top 5 beers sold by Maui Brewing Company average 6.4% alcohol by volume (ABV). According to the NIAAA's standard drink calendar, 44oz of beer at the average 6.4% ABV equates to 4.7 standard drinks<sup>2</sup>. This would already classify as binge drinking for the average woman, and would be just off of the binge drinking rate of 5 drinks for men. So, in one serving at 44oz, people would be considered binge drinking with a BAC of 0.08%, which would classify as Driving Under the Influence in Hawai'i.

This amount of alcohol is much too high for any type of beer, but it is particularly riskier when it is craft beer, which has on average, a much higher ABV than commercially produced beers (i.e. Bud Light, Coors Light). This will contribute to higher binge drinking rates in the bars/restaurants, and higher rates of drunk driving.

#### **Lower Total Alcohol Volume Benefits our Local Craft Brewing Businesses**

Allowing local breweries to serve up to 44oz of beer to customers creates an unnecessary burden on local brewery businesses. Servers will be pressured to serve more alcohol to customers, thereby increasing the risk that patrons become intoxicated and getting involved in alcohol-related consequences (i.e. drunk driving, violence, and other injuries). This will increase liability on the local businesses and individual servers and hold them accountable for injuries resulting in the over-service of alcohol at their establishments. **Capping the alcohol volume at**

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<sup>1</sup> Drinking Levels Defined, National Institute on Alcohol Abuse and Alcoholism, <https://www.niaaa.nih.gov/alcohol-health/overview-alcohol-consumption/moderate-binge-drinking>

<sup>2</sup> Drink Size Calculator, National Institute on Alcohol Abuse and Alcoholism, <https://www.rethinkingdrinking.niaaa.nih.gov/tools/Calculators/drink-size-calculator.aspx>



**a lower cap that is 16oz will ensure that the local businesses are safe from dram shop liability, as well as better protect our community from alcohol-related injuries and harms.**

**Local Breweries having the ability to serve sample flights of beer**

The Hawai'i Alcohol Policy Alliance is not directly opposed to local breweries being able to serve sample flights of beers, as long as the total volume of alcohol is equivalent to the actual total amount of a sampler serving, i.e. 16oz per serving. The Alliance would also recommend that there be caps on alcohol-by-volume per serving to ensure safer levels of alcohol consumption.

**Tap Handle Provision**

The *Alliance* has no direct comment on the tap handle provision of the bill.

I implore you to oppose SB772 for the benefit of the people of Hawai'i. To concede your vote to the wishes of the commercial interests will only be to the detriment of your constituents. You do not want to be responsible for a bill that would see more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities.

Mahalo for your time and attention to this urgent matter.

Sincerely,

Richard Collins

Chair

Hawai'i Alcohol Policy Alliance

(808) 728-4656

## Oppose SB772

Relating to Liquor Laws; Repeal Tap Handle Requirements;  
Clarify Definition of Stacking and Serving Size

Senate Committee on Commerce, Consumer Protection, and Health  
February 20<sup>th</sup>, 2019 9:15am – conference room 229

Chair Rosalyn Baker, Vice Chair Stanley Chang, Members Jarrett Keohokalole, Clarence Nishihara, Russell Ruderman, Laura Thielen, and Kurt Fevella

### **Position: Oppose, with amendments**

My name is Ashlee Chapman, I live in Kihei on Maui and I am an individual submitting testimony on behalf of SB772. Mahalo for the opportunity to submit testimony as I am unable to be there in-person at this time. I strongly **oppose SB772** as it stands for the following reasons:

#### **1. Local breweries and wineries do not sell sample sizes more than 20 ounces**

The proposed bill is supposed to support local breweries who serve sample flights of 4-5 glasses of an average of 5oz per glass of beer. The simple mathematics of this at the highest quantity of total volume would be 25oz. In the proposed provision, the math of alcohol by volume doesn't match up. How did we go from 20-25oz for a full sampler of flight beers to 44oz of alcohol at any given time? Is this a mere mathematical mistake of our legislators, or is this more likely a "backdoor" way for the alcohol industry to increase profits and sales? Let's not kid ourselves into thinking that this is just to give local breweries the ability to sell sample flights of beer.

From communicating with local brewers and wineries it has become clear that these local businesses do not offer sample "flights" that go beyond 20 ounces of total volume per customer. Maui Brewing Company sells sample flights of 4 glasses at 4 ounces each which equals 16 ounces of alcohol. Maui Winery in Kula only allows each person 5 ounces of alcohol at one time. Allowing 40 ounces as a single-serving of alcohol per person would only encourage excessive drinking, otherwise known as *binge drinking*, and increases in associated health and safety problems. The Centers for Disease Control and Prevention (CDC) define binge drinking "as a pattern of drinking that brings a person's blood alcohol concentration to 0.08 grams percent or above; typically this occurs when men consume 5 or more drinks or women consume 4 or more drinks in about 2 hours"<sup>1</sup>. The CDC identifies binge drinking as the "most common, costly, and deadly pattern of excessive alcohol use in the United States"<sup>2</sup>.

#### **2. Local breweries have higher alcohol content levels than commercially produced beer**

This bill intends to allow for local breweries to offer sample flights of various beers that have a wide range of alcohol content which poses unique challenges. It must be noted

1. National Institute of Alcohol Abuse and Alcoholism. [NIAAA council approves definition of binge drinking Cdc-pdf\[PDF – 1.62MB\]External](#). *NIAAA Newsletter*. 2004;3:3.
2. Esser MB, Hedden SL, Kanny D, Brewer RD, Gfroerer JC, Naimi TS. [Prevalence of alcohol dependence among US adult drinkers, 2009–2011](#). *Prev Chronic Dis*. 2014;11:140329. doi: <http://dx.doi.org/10.5888/pcd11.140329>.



that locally brewed beers generally have higher alcohol content than commercially produced alcohol products. Allowing a single serving of alcohol of 44oz **without a cap on alcohol content WILL increase problems related to the over service of patrons including excessive drinking and drunk driving which would put patrons and community members at risk.**

**Tap Handle Provision**

I have no direct comment on the tap handle provision of the bill.

I implore you to **oppose SB772** as it stands for the benefit of the people of Hawai'i. I ask for the bill to be amended to specify that a single serving of alcohol should be no more than 20 ounces. To concede your vote to the wishes of the commercial interests will only be to the detriment of your constituents. You do not want to be responsible for a bill that would see more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities.

Mahalo for your time and attention to this urgent matter.

Sincerely,

Ashlee Chapman, MSW  
851 S Kihei Road  
Apt O103  
Kihei, HI 96753

1. National Institute of Alcohol Abuse and Alcoholism. [NIAAA council approves definition of binge drinking Cdc-pdf\[PDF – 1.62MB\]External](#). *NIAAA Newsletter*. 2004;3:3.
2. Esser MB, Hedden SL, Kanny D, Brewer RD, Gfroerer JC, Naimi TS. [Prevalence of alcohol dependence among US adult drinkers, 2009–2011](#). *Prev Chronic Dis*. 2014;11:140329. doi: <http://dx.doi.org/10.5888/pcd11.140329>.

## Oppose SB772

### **Relating to Liquor Laws; Repeal Tap Handle Requirements; Clarify Definition of Stacking and Serving Size**

Senate Committee on Commerce, Consumer Protection, and Health  
February 20<sup>th</sup>, 2019 9:15am – conference room 229

Chair Rosalyn Baker, Vice Chair Stanley Chang, Members Jarrett Keohokalole, Clarence Nishihara, Russell Ruderman, Laura Thielen, and Kurt Fevella

#### **Position: Oppose, with amendments**

My name is Michael Sparks. I live in Kihei and I am an individual submitting testimony on behalf of SB772. Mahalo for the opportunity to submit testimony as I am unable to be there in-person at this time. I strongly **oppose SB772** as it stands for the following reasons:

#### **1. Local breweries and wineries do not sell sample sizes more than 20 ounces**

The proposed bill is supposed to support local breweries who serve sample flights of 4-5 glasses of an average of 5oz per glass of beer. The simple mathematics of this at the highest quantity of total volume would be 25oz. In the proposed provision, the math of alcohol by volume doesn't match up. How did we go from 20-25oz for a full sampler of flight beers to 44oz of alcohol at any given time? Is this a mere mathematical mistake of our legislators, or is this more likely a "backdoor" way for the alcohol industry to increase profits and sales? Let's not kid ourselves into thinking that this is just to give local breweries the ability to sell sample flights of beer.

From communicating with local brewers and wineries it has become clear that these local businesses do not offer sample "flights" that go beyond 20 ounces of total volume per customer. Maui Brewing Company sells sample flights of 4 glasses at 4 ounces each which equals 16 ounces of alcohol. Maui Winery in Kula only allows each person 5 ounces of alcohol at one time. Allowing 40 ounces as a single-serving of alcohol per person would only encourage excessive drinking, otherwise known as *binge drinking*, and increases in associated health and safety problems. The Centers for Disease Control and Prevention (CDC) define binge drinking "as a pattern of drinking that brings a person's blood alcohol concentration to 0.08 grams percent or above; typically this occurs when men consume 5 or more drinks or women consume 4 or more drinks in about 2 hours"<sup>1</sup>. The CDC identifies binge drinking as the "most common, costly, and deadly pattern of excessive alcohol use in the United States"<sup>2</sup>.

#### **2. Local breweries have higher alcohol content levels than commercially produced beer**

1. National Institute of Alcohol Abuse and Alcoholism. [NIAAA council approves definition of binge drinking Cdc-pdf\[PDF – 1.62MB\]External](#). *NIAAA Newsletter*. 2004;3:3.
2. Esser MB, Hedden SL, Kanny D, Brewer RD, Gfroerer JC, Naimi TS. [Prevalence of alcohol dependence among US adult drinkers, 2009–2011](#). *Prev Chronic Dis*. 2014;11:140329. doi: <http://dx.doi.org/10.5888/pcd11.140329>.

This bill intends to allow for local breweries to offer sample flights of various beers that have a wide range of alcohol content which poses unique challenges. It must be noted that locally brewed beers generally have higher alcohol content than commercially produced alcohol products. Allowing a single serving of alcohol of 44oz **without a cap on alcohol content WILL increase problems related to the over service of patrons including excessive drinking and drunk driving which would put patrons and community members at risk.**

### **Tap Handle Provision**

I have no direct comment on the tap handle provision of the bill.

I implore you to **oppose SB772** as it stands for the benefit of the people of Hawai'i. I ask for the bill to be amended to specify that a single serving of alcohol should be no more than 20 ounces. To concede your vote to the wishes of the commercial interests will only be to the detriment of your constituents. You do not want to be responsible for a bill that would see more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities.

Mahalo for your time and attention to this urgent matter.

Sincerely,

Michael Sparks

1. National Institute of Alcohol Abuse and Alcoholism. [NIAAA council approves definition of binge drinking Cdc-pdf\[PDF – 1.62MB\]External](#). *NIAAA Newsletter*. 2004;3:3.
2. Esser MB, Hedden SL, Kanny D, Brewer RD, Gfroerer JC, Naimi TS. [Prevalence of alcohol dependence among US adult drinkers, 2009–2011](#). *Prev Chronic Dis*. 2014;11:140329. doi: <http://dx.doi.org/10.5888/pcd11.140329>.

**SB-772**

Submitted on: 2/19/2019 1:47:43 PM

Testimony for CPH on 2/20/2019 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ryan Samonte	Individual	Oppose	No

Comments:

**SB-772**

Submitted on: 2/19/2019 1:48:24 PM

Testimony for CPH on 2/20/2019 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gerald Jay D. Ganaden	Individual	Oppose	No

Comments:

**SB-772**

Submitted on: 2/19/2019 2:30:25 PM

Testimony for CPH on 2/20/2019 9:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jan Shishido	Individual	Oppose	No

Comments:

Oppose SB772

Relating to Liquor Laws; Repeal Tap Handle  
Requirements;  
Size

Clarify Definition of Stacking and Serving

Senate Committee on Commerce, Consumer Protection, and Health

February 20th, 2019 9:15am – conference room 229

Chair Rosalyn Baker, Vice Chair Stanley Chang, Members Jarrett Keohokalole,  
Clarence Nishihara, Russell Ruderman, Laura Thielen, and Kurt Fevella

Position: **Oppose, with ammendments**

My name is Jan Shishido, I live in Kahului, Maui and I am an individual submitting testimony on behalf of SB772. Mahalo for the opportunity to submit testimony as I am unable to be there in-person at this time. I strongly **oppose SB772** as it stands for the following reasons:

1. **Local breweries and wineries do not sell sample sizes more than 20 ounces**

The proposed bill is supposed to support local breweries who serve sample flights of 4-5 glasses of an average of 5oz per glass of beer. The simple mathematics of this at the highest quantity of total volume would be 25oz. In the proposed provision, the math of alcohol by volume doesn't match up. How did we go from 20-25oz for a full sampler of flight beers to 44oz of alcohol at any given time? Is this a mere mathematical mistake of our legislators, or is this more likely a "backdoor" way for the alcohol industry to increase profits and sales? Let's not kid ourselves into thinking that this is just to give local breweries the ability to sell sample flights of beer.

From communicating with local brewers and wineries it has become clear that these local businesses do not offer sample "flights" that go beyond 20 ounces of total volume per customer. Maui Brewing Company sells sample flights of 4 glasses at 4 ounces each which equals 16 ounces of alcohol. Maui Winery in Kula only allows each person 5 ounces of alcohol at one time. Allowing 40 ounces as a single-serving of alcohol per person would only encourage excessive drinking, otherwise known as *binge drinking*, and increases in associated health and safety problems. The Centers for Disease Control and Prevention (CDC) define binge drinking "as a pattern of drinking that brings a person's blood alcohol concentration to 0.08 grams percent or above; typically this occurs when men consume 5 or more drinks or women consume 4 or more drinks in about 2 hours"<sup>1</sup>. The CDC identifies binge drinking as the "most common, costly, and deadly pattern of excessive alcohol use in the United States"<sup>2</sup>.

#### **1. Local breweries have higher alcohol content levels than commercially produced beer**

This bill intends to allow for local breweries to offer sample flights of various beers that have a wide range of alcohol content which poses unique challenges. It must be noted that locally brewed beers generally have higher alcohol content than commercially produced alcohol products. Allowing a single serving of alcohol of 44oz **without a cap on alcohol content WILL increase problems related to the over service of patrons including excessive drinking and drunk driving which would put patrons and community members at risk.**

#### ***Tap Handle Provision***

I have no direct comment on the tap handle provision of the bill.

I implore you to **oppose SB772** as it stands for the benefit of the people of Hawai'i. I ask for the bill to be amended to specify that a single serving of alcohol should be no more than 20 ounces. To concede your vote to the wishes of the commercial interests will only be to the detriment of your constituents. You do not want to be responsible for a bill that would see more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities.

Mahalo for your time and attention to this urgent matter.

Sincerely,

Jan Shishido



**LATE**

**SB-772**

Submitted on: 2/19/2019 3:58:51 PM

Testimony for CPH on 2/20/2019 9:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristi Chinen	Individual	Oppose	No

Comments:

SB772 this is promoting binge drinking. Binge drinking is the consumption of about 4 to 5 drinks in less than 2 hours. The consequences of binge drinking can include alcohol poisoning and death. That means someone's life can take a total turn in less than 2 hours and this necessarily doesn't mean the person drinking. It can be an innocent bystander who just happens to be in the wrong place at the wrong time.

**LATE**

## Oppose SB772

Relating to Liquor Laws; Repeal Tap Handle Requirements;  
Clarify Definition of Stacking and Serving Size

Senate Committee on Commerce, Consumer Protection, and Health  
February 20<sup>th</sup>, 2019 9:15am – conference room 229

Chair Rosalyn Baker, Vice Chair Stanley Chang, Members Jarrett Keohokalole, Clarence Nishihara, Russell Ruderman, Laura Thielen, and Kurt Fevella

### Position: **Oppose, with amendments**

My name is Ann Collins, I live in Kula, HI and I am an individual submitting testimony on behalf of SB772. Mahalo for the opportunity to submit testimony as I am unable to be there in-person at this time. I strongly **oppose SB772** as it stands for the following reasons:

#### **1. Local breweries and wineries do not sell sample sizes more than 20 ounces**

The proposed bill is supposed to support local breweries who serve sample flights of 4-5 glasses of an average of 5oz per glass of beer. The simple mathematics of this at the highest quantity of total volume would be 25oz. In the proposed provision, the math of alcohol by volume doesn't match up. How did we go from 20-25oz for a full sampler of flight beers to 44oz of alcohol at any given time? Is this a mere mathematical mistake of our legislators, or is this more likely a "backdoor" way for the alcohol industry to increase profits and sales? Let's not kid ourselves into thinking that this is just to give local breweries the ability to sell sample flights of beer.

From communicating with local brewers and wineries it has become clear that these local businesses do not offer sample "flights" that go beyond 20 ounces of total volume per customer. Maui Brewing Company sells sample flights of 4 glasses at 4 ounces each which equals 16 ounces of alcohol. Maui Winery in Kula only allows each person 5 ounces of alcohol at one time. Allowing 40 ounces as a single-serving of alcohol per person would only encourage excessive drinking, otherwise known as *binge drinking*, and increases in associated health and safety problems. The Centers for Disease Control and Prevention (CDC) define binge drinking "as a pattern of drinking that brings a person's blood alcohol concentration to 0.08 grams percent or above; typically this occurs when men consume 5 or more drinks or women consume 4 or more drinks in about 2 hours"<sup>1</sup>. The CDC identifies binge drinking as the "most common, costly, and deadly pattern of excessive alcohol use in the United States"<sup>2</sup>.

#### **2. Local breweries have higher alcohol content levels than commercially produced beer**

This bill intends to allow for local breweries to offer sample flights of various beers that have a wide range of alcohol content which poses unique challenges. It must be noted

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2. Esser MB, Hedden SL, Kanny D, Brewer RD, Gfroerer JC, Naimi TS. [Prevalence of alcohol dependence among US adult drinkers, 2009–2011](#). *Prev Chronic Dis*. 2014;11:140329. doi: <http://dx.doi.org/10.5888/pcd11.140329>.

that locally brewed beers generally have higher alcohol content than commercially produced alcohol products. Allowing a single serving of alcohol of 44oz **without a cap on alcohol content WILL increase problems related to the over service of patrons including excessive drinking and drunk driving which would put patrons and community members at risk.**

**Tap Handle Provision**

I have no direct comment on the tap handle provision of the bill.

I implore you to **oppose SB772** as it stands for the benefit of the people of Hawai'i. I ask for the bill to be amended to specify that a single serving of alcohol should be no more than 20 ounces. To concede your vote to the wishes of the commercial interests will only be to the detriment of your constituents. You do not want to be responsible for a bill that would see more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities.

Mahalo for your time and attention to this urgent matter.

Sincerely,

Ann Collins

1. National Institute of Alcohol Abuse and Alcoholism. [NIAAA council approves definition of binge drinking Cdc-pdf\[PDF – 1.62MB\]External](#). *NIAAA Newsletter*. 2004;3:3.
2. Esser MB, Hedden SL, Kanny D, Brewer RD, Gfroerer JC, Naimi TS. [Prevalence of alcohol dependence among US adult drinkers, 2009–2011](#). *Prev Chronic Dis*. 2014;11:140329. doi: <http://dx.doi.org/10.5888/pcd11.140329>.



Greg Tjapkes  
Member  
Hawai'i Alcohol Policy Alliance  
Kailua, HI  
(808)777-9553

**LATE**

**HB 1172 Relating to Liquor Laws;  
Liquor Laws; Beer; Tap Handle Requirement; Beer Serving; Stacking**

February 19, 2019

**Position: OPPOSE**

**Chair Representative Roy Takumi, Vice Chair Representative  
Linda Ichiyama and members of the Committee**

The Hawai'i Alcohol Policy Alliance (Alliance) is opposed to HB1172. Our opposition is specifically related to the provision of the bill allowing the stacking of beer by volume. I would request that the bill reduce the total allowable stackable amount to a reasonable 24 ounces, i.e. two standard servings of beer.

**Beer Stacking Provision**

Allowing local breweries to serve up to 44oz of beer to customers creates an unnecessary burden on bars, restaurants, and local brewery businesses. Servers will be pressured to serve more alcohol to customers, thereby increasing the risk that patrons become intoxicated and driving drunk. As a former bartender you need to know that bar employees rely on policies like these in order to NOT serve more beer or alcohol. **Capping the alcohol volume at a lower cap that is 20-24oz will ensure that the local businesses are safe from dram shop liability, as well as better protect our community from alcohol-related injuries and harms.**

The Hawai'i Alcohol Policy Alliance is not directly opposed to local breweries being able to serve sample flights of beers, as long as the total volume of alcohol is equivalent to the actual total amount of a sampler serving, i.e. 20-24oz total serving. The Alliance would also recommend that there be caps on alcohol-by-volume per serving to ensure safer levels of alcohol consumption.



The Hawai'i Alcohol Policy Alliance is a volunteer-based organization of private citizens made up of members from all four counties within the State. Our mission is to advocate for research-based responsible alcohol policies that are in the best interest of the people of Hawai'i, and that reduce alcohol-related harms in our communities. Our vision is a Hawai'i free of alcohol-related injuries, disease, and death.

Thank you for your time and attention to this matter.

Sincerely,

Greg Tjapkes

Member

Hawai'i Alcohol Policy Alliance

(808) 777-9553

**SB-772**

Submitted on: 2/19/2019 4:29:59 PM

Testimony for CPH on 2/20/2019 9:15:00 AM

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
Katie Folio	Individual	Oppose	No

Comments:

Aloha,

I am writing in strong opposition to SB 772, which would encourage binge drinking and the negative outcomes associated with binge drinking by allowing individuals to be served up to 32 ounces of alcohol at a time.

Our local breweries and wineries do not serve more than 20 ounces at a time, so it doesn't benefit anyone other than the alcohol industry to increase serving sizes beyond 20 oz. It certainly doesn't benefit the health of our residents or community.

There is no need for this change. Please protect health first.

Mahalo nui loa,

Katie Folio

Kula, Maui, HI